

STATE ELECTION COMMISSION, HARYANA

S.C.O. No. 16-17, SECTOR 20-D, CHANDIGARH

Order

The 13th January, 2009

No. SEC/3ME/2008/263.—As per provisions contained in Section 13 D and 13E of the Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his filing nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit i. e. 'within 30 days from the declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer authorized by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

The general election to Municipal Committee, Ateli Mandi, District Mahendergarh, was held on 2nd March, 2007. Smt. Kaushalya Devi, Ward No. 1 and Smt. Krishana Devi, Ward No. 9 failed to lodge there election expenditure account within 30 days from the declaration of result. Smt. Kaushalya Devi and Smt. Krishna Devi were issued show cause notice vide Commission's No. SEC/3ME/2008/5602 and SEC/3ME/2008/5603, dated 5th June, 2008, respectively, as to why they should not be disqualified because they had not filed their election expenditure statement in the prescribed time. They were given an opportunity of personal hearing by me on 19th December, 2008, Shri Neeraj Kumar son of Smt. Krishna Devi alongwith his mother was present for hearing. He stated that Smt. Krishna Devi deposited her expenditure account on 3rd December, 2007, whereas affidavit submitted by Smt. Krishna Devi was signed on 27th June, 2008 and expenditure account was deposited on 7th August, 2008 which is also 16 months and 7 days late from the prescribed date. Shri Neeraj Kumar did not give explanation for late filing of election expenditure statement by his mother. Smt. Kaushalya Devi did not attend hearing.

The explanation given by Shri Neeraj Kumar s/o Smt. Krishna Devi is not satisfactory as he could not show any good cause for failure to file the election expenditure statement in time by his mother, hence, as per provision provided in Section 13D of the Haryana Municipal Act, 1973, Smt. Krishna Devi, Ward No. 9 is hereby disqualified for a period of 3 years from the date of this order.

Smt. Kaushalya Devi, Ward No. 1 did not appear before me to explain her position neither any written statement has been received from her, hence, Smt. Kaushalya Devi is also disqualified for a period of 3 years from the date of this order.

Copy of the order be communicated to Smt. Kaushalya Devi, Ward No. 1 and Smt. Krishana Devi, Ward No. 9 and be got notified in the Haryana Government Gazette.

Chandigarh :
The 7th January, 2009

CHANDER SINGH,
State Election Commissioner, Haryana.